

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

TAREK SAMIR NAJAR,

Petitioner,

v.

Civil Action No. 3:08cv203

COMMONWEALTH OF VIRGINIA  
DEPARTMENT OF CORRECTIONS,

Respondents.

**MEMORANDUM OPINION**

Petitioner, a Virginia state prisoner proceeding pro se, submitted this 28 U.S.C. § 2254 petition. By Memorandum Order entered on April 24, 2008, the Court notified Petitioner that he must submit the \$5.00 filing fee within eleven (11) days of the date of entry thereof or explain any special circumstances that would justify excusing any portion of the payment. More than eleven (11) days have elapsed since the entry of the April 24, 2008 Memorandum Order and Petitioner has failed to pay the assessed fee or explain any circumstances that excuse his payment of the same. Accordingly, the petition will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

\_\_\_\_\_/s/ REP  
Robert E. Payne  
Senior United States District Judge

Richmond, Virginia

Date: June 20, 2008